

# United States Court of Appeals for the Fifth Circuit

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No. 17-60285

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UNITED STATES OF AMERICA,

*Plaintiff—Appellee,*

*versus*

MARK RANDALL JONES,

*Defendant—Appellant.*

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Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:09-CR-96-1

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ON PETITION FOR REHEARING EN BANC

(Opinion 10/23/2020, 5 CIR., \_\_\_\_\_, \_\_\_\_\_ F.3D  
\_\_\_\_\_) )

Before OWEN, *Chief Judge*, SOUTHWICK, and HIGGINSON, *Circuit Judges*.

PER CURIAM:

( √ ) Treating the Petition for Rehearing En Banc as a Petition for Panel Rehearing, the Petition for Panel Rehearing is DENIED. No member of the panel nor judge in regular active service of the court

having requested that the court be polled on Rehearing En Banc (FED. R. APP. P. and 5<sup>TH</sup> CIR. R. 35), the Petition for Rehearing En Banc is DENIED.

- ( ) Treating the Petition for Rehearing En Banc as a Petition for Panel Rehearing, the Petition for Panel Rehearing is DENIED. The court having been polled at the request of one of the members of the court and a majority of the judges who are in regular active service and not disqualified not having voted in favor (FED. R. APP. P. and 5<sup>TH</sup> CIR. R. 35), the Petition for Rehearing En Banc is DENIED.